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10/031,282	02/12/2002	Yoichi Kobayashi	450101-03040	6211

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EXAMINER

PANOS, JEFFREY C

ART UNIT	PAPER NUMBER
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3713

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/031,282

Applicant(s)

KOBAYASHI ET AL.

Examiner

Jeffrey C. Panos

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9 and 11-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9 and 11-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4-9, and 11-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nippon (JP 2000-005439) in view of Von Kohorn (US Patent No. 6,443,840 B2).

Regarding claim 1, Nippon teaches a video game device 103 that reads video game software from a recording medium (host computer memory) and client registration control means for getting access to said service provider through said network and performing client registration of said video game program when the player stops play or the game gets interrupted. In addition, if the game becomes interrupted or the player would like to stop the game, the progression of the game is stopped, but saved and printed using a code that tells the machine the game program that was used and the level the player was on at the time. The host computer additionally works as the service provider of the network, giving it administration means to provide the privileged information printed for the player, where it is inherent that the printer control program converts the privilege information into printed data. Therefore, the progression of the

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game is based on the keycard. Once the player inputs this back into the game machine, the information is read and pulled up for the player. See Detailed Description ¶ 0014. Nippon lacks in disclosing the advertising information registered and distributed. Von Kohorn teaches advertising material, such as a coupon, being printed out for the players (col.24: 35-52). The advertising material has an advantage of being transmitted to remote locations through instructional signals and printing the coupons. It would have been obvious to one of ordinary skill in the art to use such signals with the system taught by Nippon by authenticating them through the administrative server and embedding and/or printing the advertising material on the key card used by the player. By doing this, the player would carry around the advertising information and be forced to view it, as opposed to a paper coupon separate from the key card where the player may elect to not view the advertised information.

Regarding claim 2, Nippon teaches a printer for a keycard that is inherent to have a printer control program that prints the privilege information that is contained on the keycard. See Detailed Description ¶ 0014.

Regarding claim 4, Nippon teaches a keycard that contains privilege information including client information, which is inherent in the keycard being that it is printed for that player at that specific point in the game, whether the game was stopped by the player or the game play interrupted. See Detailed Description ¶ 0014 and 0015.

Regarding claim 5, Nippon teaches validation of privilege information on the basis of said identification information that is a part of said privilege information. The identification information is inherent in the keycard being that it is printed for that player

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at that specific point in the game; whether the game was stopped by the player or the game play interrupted. See Detailed Description ¶¶ 0014 and 0015. Also, the keycard identifies the stage code and game code, which is identification information specific to that player. See Detailed Description ¶¶ 0021 and 0022.

Regarding claim 6, Nippon teaches a video game device 103 that reads video game software from a recording medium (host computer memory) and client registration control means for getting access to said service provider through said network and performing client registration of said video game program when the player stops play or the game gets interrupted. In addition, if the game becomes interrupted or the player would like to stop the game, the progression of the game is stopped, but saved and level the player was on at the time, where it is inherent that the printer control program converts the privilege information into printed data. Therefore, the progression of the game is based on the keycard and the keycard is what is used to accept access of that player. See Detailed Description ¶¶ 0014 and 0021. Nippon lacks in disclosing the advertising information registered and distributed. Von Kohorn teaches advertising material, such as a coupon, being printed out for the players (col.24: 35-52). The advertising material has an advantage of being transmitted to remote locations through instructional signals and printing the coupons. It would have been obvious to one of ordinary skill in the art to use such signals with the system taught by Nippon by authenticating them through the administrative server and embedding and/or printing the advertising material on the key card used by the player. By doing this, the player would carry around the advertising information and be forced to view it, as opposed to a

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paper coupon separate from the key card where the player may elect to not view the advertised information.

Regarding claim 7, Nippon teaches a video game device 103 that reads video game software from a recording medium (host computer memory) and client registration control means for getting access to said service provider through said network and performing client registration of said video game program when the player stops play or the game gets interrupted. In addition, if the game becomes interrupted or the player would like to stop the game, the progression of the game is stopped, but saved and printed using a code that tells the machine the game program that was used and the level the player was on at the time. The host computer additionally works as the service provider of the network, giving it administration means to provide the privileged information printed for the player, where it is inherent that the printer control program converts the privilege information into printed data. So, the progression of the game is based on the keycard. Once the player inputs this back into the game machine, the information is read and pulled up for the player. See Detailed Description ¶¶ 0014.

Nippon lacks in disclosing the advertising information registered and distributed. Von Kohorn teaches advertising material, such as a coupon, being printed out for the players (col.24: 35-52). The advertising material has an advantage of being transmitted to remote locations through instructional signals and printing the coupons. It would have been obvious to one of ordinary skill in the art to use such signals with the system taught by Nippon by authenticating them through the administrative server and embedding and/or printing the advertising material on the key card used by the player.

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By doing this, the player would carry around the advertising information and be forced to view it, as opposed to a paper coupon separate from the key card where the player may elect to not view the advertised information.

Regarding claim 8, Nippon teaches administration means to provide the privileged information printed for the player. Also, it is inherent that there is a client database in the host computer since there is a keycard printout for an individual player and when inserted there is information pulled up where that player last left off. See means for accepting access based on the information on the keycard, which is with respect to the client or player. This allows the player to access the information from when there game was interrupted. See Detailed Description ¶¶ 0014 and 0021. Nippon lacks in disclosing the advertising information registered and distributed. Von Kohorn teaches advertising material, such as a coupon, being printed out for the players (col.24: 35-52). The advertising material has an advantage of being transmitted to remote locations through instructional signals and printing the coupons. It would have been obvious to one of ordinary skill in the art to use such signals with the system taught by Nippon by authenticating them through the administrative server and embedding and/or printing the advertising material on the key card used by the player. By doing this, the player would carry around the advertising information and be forced to view it, as opposed to a paper coupon separate from the key card where the player may elect to not view the advertised information.

Regarding claim 9, Nippon teaches a distribution control means for accepting access based on the information on the keycard, which is with respect to the client or

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player. This allows the player to access the information from when their game was interrupted. See Detailed Description ¶¶ 0014 and 0021. In addition, if the game becomes interrupted or the player would like to stop the game, the progression of the game is stopped, but saved and printed using a code that tells the machine the game program that was used and the level the player was on at the time, where it is inherent that the printer control program converts the privilege information into printed data and that there is a printing control program capable of printing said privilege information. See Detailed Description ¶¶ 0014, 0021, and 0022.

Regarding claim 11, Nippon teaches a service provider system (host computer and network) where said privilege information is distributed with identification information added thereto by said distribution control means. Nippon shows a distribution control means for accepting access based on the information on the keycard, which is with respect to the client or player. This allows the player to access the information from when their game was interrupted. See Detailed Description ¶¶ 0014 and 0021.

Regarding claim 12, Nippon teaches validation of privilege information on the basis of said identification information that is a part of said privilege information. The identification information is inherent in the keycard being that it is printed for that player at that specific point in the game. Whether the game was stopped by the player or the game play interrupted. See Detailed Description ¶¶ 0014 and 0015. Also, the keycard identifies the stage code and game code, which is identification information specific to that player. See Detailed Description ¶¶ 0021 and 0022.

Regarding claim 13, Nippon teaches administration means to provide the privileged information corresponding to a game stage of a video game. Nippon also teaches a distribution control means for accepting access based on the information on the keycard, which is with respect to the client or player. This allows the player to access the information from when their game was interrupted. See Detailed Description ¶¶ 0014 and 0021. Nippon lacks in disclosing the advertising information registered and distributed. Von Kohorn teaches advertising material, such as a coupon, being printed out for the players (col.24: 35-52). The advertising material has an advantage of being transmitted to remote locations through instructional signals and printing the coupons. It would have been obvious to one of ordinary skill in the art to use such signals with the system taught by Nippon by authenticating them through the administrative server and embedding and/or printing the advertising material on the key card used by the player. By doing this, the player would carry around the advertising information and be forced to view it, as opposed to a paper coupon separate from the key card where the player may elect to not view the advertised information.

Regarding claim 14, Nippon teaches a distribution control means for accepting access based on the information on the keycard, which is with respect to the client or player. This allows the player to access the information from when their game was interrupted. See Detailed Description ¶¶ 0014 and 0021. In addition, if the game becomes interrupted or the player would like to stop the game, the progression of the game is stopped, but saved and printed using a code that tells the machine the game program that was used and the level the player was on at the time, where it is inherent

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that the printer control program converts the privilege information into printed data and that there is a printing control program capable of printing said privilege information.

See Detailed Description ¶¶ 0014, 0021, and 0022.

Regarding claim 15, Nippon teaches a software read-out mean; of a video game program on a recording medium, where the recording medium contains video game program body, privilege information corresponding to a game stage of a video game progressed in accordance with a video game program. Nippon also shows printing a keycard containing information related to the game stage the player has progressed to and it is inherent that there is a printing control program capable of printing privilege information corresponding to the cleared game stage when the game stage is cleared. In addition, Nippon teaches a control means for progressing a game stage through accessing the host computer where the keycard obtains printed information corresponding to the game stage the player was on, where the information is converted to notation specified for the keycard. It is inherent that the printing control program converts the information into printing data. See Detailed Description ¶¶ 0014, 0015, 0021, and 0022. Nippon lacks in disclosing the advertising information registered and distributed. Von Kohorn teaches advertising material, such as a coupon, being printed out for the players (col.24: 35-52). The advertising material has an advantage of being transmitted to remote locations through instructional signals and printing the coupons. It would have been obvious to one of ordinary skill in the art to use such signals with the system taught by Nippon by authenticating them through the administrative server and embedding and/or printing the advertising material on the key card used by the player.

By doing this, the player would carry around the advertising information and be forced to view it, as opposed to a paper coupon separate from the key card where the player may elect to not view the advertised information.

Regarding claim 16, Nippon teaches a video game program that is accessed from the host computer (from the recording medium) when a stage is cleared. Through use of the keycard, the same concept is put into action where the player can pick up where they left off. The player obtains the information relating to their game from using the keycard that accesses the host computer. Nippon also teaches a control means for progressing a game stage through accessing the host computer where the keycard obtains printed information corresponding to the game stage the player was on, where the keycard (when used), in turn, gets access to the service provider based on the game stage and game code identifying information of the player. Through the host computer there is printing control means for converting the privilege information obtained from said service provider into printing data, where the data output on the keycard. See Detailed Description ¶¶ 0014, 0015, 0021, and 0022. Nippon lacks in disclosing the advertising information registered and distributed. Von Kohorn teaches advertising material, such as a coupon, being printed out for the players (col.24: 35-52). The advertising material has an advantage of being transmitted to remote locations through instructional signals and printing the coupons. It would have been obvious to one of ordinary skill in the art to use such signals with the system taught by Nippon by authenticating them through the administrative server and embedding and/or printing the advertising material on the key card used by the player. By doing this, the player would carry around the advertising

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information and be forced to view it, as opposed to a paper coupon separate from the key card where the player may elect to not view the advertised information.

Regarding claim 17, Nippon teaches a control means that reads out individual identification information every game stage that is cleared by the game having to be accessed from the host computer for each stage. This is privileged information from the service provider or host computer. See Detailed Description ¶¶ 0014, 0021, and 0022.

Regarding claim 18, Nippon teaches having to access the host computer to obtain the game program information for each game stage and a keycard gaining access to the host computer that contains privilege information relating to the game program and game stage the player was at when the game was interrupted. See Detailed Description ¶¶ 0014, 0021, and 0022.

Regarding claim 19, Nippon teaches reading a game program from a host computer's recording medium, which has privilege information corresponding to a game stage of a video game, progressed in accordance with a video game program. Through the host computer there is printing control means for printing privilege information corresponding to a cleared game stage when the player interrupts the game and this information is printed on a keycard. There is also printing control means for converting the privilege information obtained from said service provider into printing data, where the data output on the keycard. See Detailed Description ¶¶ 0014, 0015, 0021, and 0022. Nippon lacks in disclosing the advertising information registered and distributed. Von Kohorn teaches advertising material, such as a coupon, being printed out for the players (col.24: 35-52). The advertising material has an advantage of being transmitted to remote locations

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through instructional signals and printing the coupons. It would have been obvious to one of ordinary skill in the art to use such signals with the system taught by Nippon by authenticating them through the administrative server and embedding and/or printing the advertising material on the key card used by the player. By doing this, the player would carry around the advertising information and be forced to view it, as opposed to a paper coupon separate from the key card where the player may elect to not view the advertised information.

Regarding claim 20, Nippon teaches reading a game program from the host computer that contains identification information from the keycard for the player's game stage and game program, where the keycard was printed with this information and allows the user to obtain access to the privilege information. This allows the player to progress the game in accordance with the video game program. See Detailed Description ¶¶ 0014, 0015, 0021, and 0022. Nippon lacks in disclosing the advertising information registered and distributed. Von Kohorn teaches advertising material, such as a coupon, being printed out for the players (col.24: 35-52). The advertising material has an advantage of being transmitted to remote locations through instructional signals and printing the coupons. It would have been obvious to one of ordinary skill in the art to use such signals with the system taught by Nippon by authenticating them through the administrative server and embedding and/or printing the advertising material on the key card used by the player. By doing this, the player would carry around the advertising information and be forced to view it, as opposed to a paper coupon separate from the key card where the player may elect to not view the advertised information.

Regarding claim 21, Nippon teaches a printing control program capable of printing the privilege information from the host computer, where it is inherent that the printing control program converts the information into printing data. See Detailed Description ¶¶ 0014, 0021, and 0022.

Regarding claim 22, Nippon teaches a printing control program capable of printing the privilege information from the host computer, where it is inherent that the printing control program converts the information into printing data. See Detailed Description ¶¶ 0014, 0021, and 0022.

Regarding claim 23, Nippon teaches video game program body read from the host computer by the game terminal, where privilege information is obtained from the host computer corresponding to the game stage of the video game program. In addition, Nippon shows a printing control program that is inherent in the system because of being capable of printing information related to the game program on a keycard for a player. See Detailed Description ¶¶ 0014, 0021, and 0022. Nippon lacks in disclosing the advertising information registered and distributed. Von Kohorn teaches advertising material, such as a coupon, being printed out for the players (col.24: 35-52). The advertising material has an advantage of being transmitted to remote locations through instructional signals and printing the coupons. It would have been obvious to one of ordinary skill in the art to use such signals with the system taught by Nippon by authenticating them through the administrative server and embedding and/or printing the advertising material on the key card used by the player. By doing this, the player would carry around the advertising information and be forced to view it, as opposed to a

paper coupon separate from the key card where the player may elect to not view the advertised information.

Regarding claim 24, Nippon teaches a printing means for a keycard when the game becomes interrupted, where it is inherent that the printing control program includes a printer driver because all computers contain printer drivers for their printing programs. See Detailed Description ¶¶ 0014 and 0022.

Regarding claim 25, Nippon teaches a video game program and identification information for obtaining and printing privilege information by a keycard. The keycard contains information relating to the game stage and game program, and allows for access to a service provider (host computer). When a stage is cleared the game terminal gains access to the host computer for the next game stage whether a keycard is used or not. See Detailed Description ¶¶ 0014, 0021, and 0022. Nippon lacks in disclosing the advertising information registered and distributed. Von Kohorn teaches advertising material, such as a coupon, being printed out for the players (col.24: 35-52). The advertising material has an advantage of being transmitted to remote locations through instructional signals and printing the coupons. It would have been obvious to one of ordinary skill in the art to use such signals with the system taught by Nippon by authenticating them through the administrative server and embedding and/or printing the advertising material on the key card used by the player. By doing this, the player would carry around the advertising information and be forced to view it, as opposed to a paper coupon separate from the key card where the player may elect to not view the advertised information.

Regarding claim 26, Nippon teaches individual identification for every game stage being that there is a keycard that can be printed with information relating to a player's game stage and program. See Detailed Description ¶¶ 0014 and 0022.

Regarding claim 27, Nippon teaches a video game program that includes a printing program capable of printing the privilege information relating to the player's game stage and game program. See Detailed Description ¶¶ 0014, 0021, and 0022.

Response to Arguments

Applicant's arguments filed January 19, 2006 have been fully considered but they are not persuasive. The Applicant merely disagreed with the Examiner's rejections and did not provide sufficient support to persuade the Examiner to change the rejections. In light of the amendments, the Examiner has added a reference for rejection. Please see above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

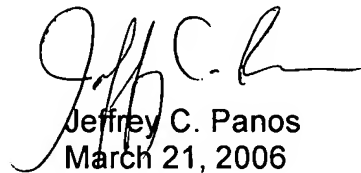
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey C. Panos whose telephone number is (571) 272-6136. The examiner can normally be reached on M-F 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jeffrey C. Panos
March 21, 2006



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TC3700